

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

CHIBUEZE C. ANAEME,

Plaintiff,

No. 3:12-cv-418-ST

v.

UNITED STATES OF AMERICA,  
*et al.*,

ORDER

Defendants.

HERNANDEZ, District Judge:

Magistrate Judge Stewart issued a Findings and Recommendation (#5) on March 14, 2011, in which she recommends that this Court grant plaintiff's application to proceed *in forma pauperis*, but dismiss his Complaint with prejudice because it fails to state a claim, seeks monetary relief against defendants who are immune, and is frivolous. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v.

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Stewart's Findings and Recommendation [5]. Accordingly, plaintiff's motion to proceed *in forma pauperis* [1] is granted, and the Complaint [2] is dismissed in its entirety with prejudice.

IT IS SO ORDERED.

DATED this 16th day of April, 2012.

s/Marco A. Hernandez  
MARCO A. HERNANDEZ  
United States District Judge